

1 the signature of such person written in his presence unless,
2 in the case of a nonresident, the State or country wherein
3 the nonresident resides does not require that a driver be
4 licensed.

5 (c) No person shall rent a motorcycle to another unless
6 the latter person is then duly licensed hereunder as a
7 motorcycle operator, and in the case of a nonresident, then
8 duly licensed under the laws of the State or country of his
9 residence, unless the State or country of his residence does
10 not require that a driver be licensed.

11 (d) (Blank).

12 (e) (Blank).

13 (f) Any person who rents a motor vehicle to another
14 shall only advertise, quote, and charge a rental rate that
15 includes the entire amount except taxes and a mileage charge,
16 if any, which a renter must pay to hire or lease the vehicle
17 for the period of time to which the rental rate applies.
18 Such person shall not charge in addition to the rental rate,
19 taxes, and mileage charge, if any, any fee which must be paid
20 by the renter as a condition of hiring or leasing the
21 vehicle, such as, but not limited to, required fuel or
22 airport surcharges, nor any fee for transporting the renter
23 to the location where the rented vehicle will be delivered to
24 the renter. In addition to the rental rate, taxes, and
25 mileage charge, if any, such person may charge for an item or
26 service provided in connection with a particular rental
27 transaction if the renter can avoid incurring the charge by
28 choosing not to obtain or utilize the optional item or
29 service. Items and services for which such person may impose
30 an additional charge include, but are not limited to,
31 optional insurance and accessories requested by the renter,
32 service charges incident to the renter's optional return of
33 the vehicle to a location other than the location where the
34 vehicle was hired or leased, and charges for refueling the

1 vehicle at the conclusion of the rental transaction in the
2 event the renter did not return the vehicle with as much fuel
3 as was in the fuel tank at the beginning of the rental.

4 (g) Every person renting a motor vehicle to another
5 shall keep a record of the registration number of the motor
6 vehicle so rented, the name and address of the person to whom
7 the vehicle is rented, the number of the license, if any, of
8 said latter person, and the date and place when and where the
9 license, if any, was issued. Such record shall be open to
10 inspection by any police officer or designated agent of the
11 Secretary of State.

12 (h) A person licensed as a new car dealer under Section
13 5-101 of this Code shall not be subject to the provisions of
14 this Section regarding the rental of private passenger motor
15 vehicles when providing, free of charge, temporary substitute
16 vehicles for customers to operate during a period when a
17 customer's vehicle, which is either leased or owned by that
18 customer, is being repaired, serviced, replaced or otherwise
19 made unavailable to the customer in accordance with an
20 agreement with the licensed new car dealer or vehicle
21 manufacturer, so long as the customer orally or in writing
22 is made aware that the temporary substitute vehicle will be
23 covered by his or her insurance policy and the customer shall
24 only be liable to the extent of any amount deductible from
25 such insurance coverage in accordance with the terms of the
26 policy.

27 (i) This Section, except the requirements of subsection
28 (g), also applies to rental agreements of 30 continuous days
29 or less involving a motor vehicle that was delivered by an
30 out of State person or business to a renter in this State.

31 (j) A public airport may, if approved by its local
32 government corporate authorities or its airport authority,
33 impose a customer facility charge upon customers of rental
34 car companies for the purposes of financing, designing,

1 constructing, operating, and maintaining consolidated car
2 rental facilities and common use transportation equipment and
3 facilities, which are used to transport the customer,
4 connecting consolidated car rental facilities with other
5 airport facilities.

6 Notwithstanding subsection (f) of this Section, the
7 customer facility charge shall be collected by the rental car
8 company as a separate charge, and clearly indicated as a
9 separate charge on the rental agreement and invoice. Facility
10 charges shall be immediately deposited into a trust account
11 for the benefit of the airport and remitted at the direction
12 of the airport, but not more often than once per month. The
13 charge shall be uniformly calculated on a per-contract or
14 per-day basis. Facility charges imposed by the airport may
15 not exceed the reasonable costs of financing, designing,
16 constructing, operating, and maintaining the consolidated car
17 rental facilities and common use transportation equipment and
18 facilities and may not be used for any other purpose.

19 Notwithstanding any other provision of law, the charges
20 collected under this Section are not subject to retailer
21 occupation, sales, use, or transaction taxes.

22 (k) When a rental car company states a rental rate in
23 any of its rate advertisements, its proprietary computer
24 reservation systems, or its in-person quotations intended to
25 apply to an airport rental, a company that collects from its
26 customers a customer facility charge for that rental under
27 subsection (j) shall do all of the following:

28 (1) Clearly and conspicuously disclose in any
29 radio, television, or other electronic media
30 advertisements the existence and amount of the charge if
31 the advertisement is intended for rentals at an airport
32 imposing the charge or, if the advertisement covers an
33 area with multiple airports with different charges, a
34 range of amounts of customer facility charges if the

1 advertisement is intended for rentals at an airport
2 imposing the charge.

3 (2) Clearly and conspicuously disclose in any print
4 rate advertising the existence and amount of the charge
5 if the advertisement is intended for rentals at an
6 airport imposing the charge or, if the print rate
7 advertisement covers an area with multiple airports with
8 different charges, a range of amounts of customer
9 facility charges if the advertisement is intended for
10 rentals at an airport imposing the charge.

11 (3) Clearly and conspicuously disclose the
12 existence and amount of the charge in any telephonic,
13 in-person, or computer-transmitted quotation from the
14 rental car company's proprietary computer reservation
15 system at the time of making an initial quotation of a
16 rental rate if the quotation is made by a rental car
17 company location at an airport imposing the charge and at
18 the time of making a reservation of a rental car if the
19 reservation is made by a rental car company location at
20 an airport imposing the charge.

21 (4) Clearly and conspicuously display the charge in
22 any proprietary computer-assisted reservation or
23 transaction directly between the rental car company and
24 the customer, shown or referenced on the same page on the
25 computer screen viewed by the customer as the displayed
26 rental rate and in a print size not smaller than the
27 print size of the rental rate.

28 (5) Clearly and conspicuously disclose and
29 separately identify the existence and amount of the
30 charge on its rental agreement.

31 (6) A rental car company that collects from its
32 customers a customer facility charge under subsection (j)
33 and engages in a practice which does not comply with
34 subsections (f), (j), and (k) commits an unlawful

1 practice within the meaning of the Consumer Fraud and
2 Deceptive Business Practices Act.

3 (Source: P.A. 89-248, eff. 8-4-95; 90-113, eff. 7-14-97.)

4 Section 10. The Consumer Fraud and Deceptive Business
5 Practices Act is amended by changing Section 2Z as follows:

6 (815 ILCS 505/2Z) (from Ch. 121 1/2, par. 262Z)

7 Sec. 2Z. Violations of other Acts. Any person who
8 knowingly violates the Automotive Repair Act, the Home Repair
9 and Remodeling Act, the Dance Studio Act, the Physical
10 Fitness Services Act, the Hearing Instrument Consumer
11 Protection Act, the Illinois Union Label Act, the Job
12 Referral and Job Listing Services Consumer Protection Act,
13 the Travel Promotion Consumer Protection Act, the Credit
14 Services Organizations Act, the Automatic Telephone Dialers
15 Act, the Pay-Per-Call Services Consumer Protection Act, the
16 Telephone Solicitations Act, the Illinois Funeral or Burial
17 Funds Act, the Cemetery Care Act, the Safe and Hygienic Bed
18 Act, the Pre-Need Cemetery Sales Act, subsection (a) or (b)
19 of Section 3-10 of the Cigarette Tax Act, subsection (a) or
20 (b) of Section 3-10 of the Cigarette Use Tax Act, ~~or~~ the
21 Electronic Mail Act, or paragraph (6) of subsection (k) of
22 Section 6-305 of the Illinois Vehicle Code commits an
23 unlawful practice within the meaning of this Act.

24 (Source: P.A. 90-426, eff. 1-1-98; 91-164, eff. 7-16-99;
25 91-230, eff. 1-1-00; 91-233, eff. 1-1-00; 91-810, eff.
26 6-13-00.)".